REMARKS

Status of the Claims

The Final Office Action mailed March 11, 2009 noted that claims 1-10 were pending and rejected claims 1-10. An Advisory Action mailed June 18, 2009 noted that the Request for Reconsideration filed June 11, 2009 was not persuasive.

Claims 1 and 9 are amended. New claim 11 is added. No claims are cancelled. No new matter is believed to be presented.

It is respectfully submitted that claims 1-11 are pending. A Request for Continued Examination is submitted herewith.

Rejection under 35 U.S.C. § 103(a)

The Office Action, on page 3, rejected all claims under 35 U.S.C. § 103(a) as being unpatentable variously over Horvitz, DeSimone, Shimada, Kall, Crandall, Schneider, Iwata, Hoshi, Erdelyi, and Park.

The claims of this Application solve a problem unlike a determining a sequence of a message in a chat conversation between two or more participants as discussed in DeSimone and discussed at length in the Advisory Action. Rather, independent claim 1, for example, recites "means for determining an order of delivering the updated information data to the plurality of the second user terminals according to the profile data acquired by reference to the second group of data in said storage unit when the first information data is updated." An order of delivering the updated data is an order of the plurality of user terminals which receive the updated data, not an order of information to be sent or shown, such as a single message in a chat window. Thus, the order of the plurality of terminals to receive a message such as "Star Peace ticket will be on sale tomorrow at 10:00" as seen in Figure 3 of the Application is determined.

Claim 1 is amended to clarify its distinguishing features. It is respectfully submitted that nothing cited or found in DeSimone and Horvitz, taken alone and in combination, teaches all features of claim 1. In particular, DeSimone and Horvitz do not teach "**means for determining an order of delivering the updated information data to the plurality of the second user terminals** according to the profile data acquired by reference to the second group of data in said storage unit when the first information data is updated." DeSimone merely discusses updating the status of the first window at each terminal with new chat text. (See DeSimone, claim 12,

column 18, lines 26-29). Horvitz merely notes in paragraphs [0326] and [0327]:

> The preferences store 552 can be considered as that which stores
> information on parameters that influence how a user is to be
> notified. The user context module 554 determines a user's current
> context... [t]he user context profile store 555 stores context
> parameters for a user...the user context module 554 provides a
> best guess or estimate about a user's current context information
> by accessing information from the profile store 555 and/or
> updating a prior set of beliefs in the store 555.
>
> The user context profile store 555 can be a pre-assessed and/or
> predefined user profile... user context module 554 can then
> actively determine or infer aspects of the user's context or state,
> such as the user's current or future location and attentional state.

Thus, Horvitz is also unrelated to "means for determining an order of delivering the updated information data to the plurality of second user terminals." Horvitz is merely related to delivering messages using priorities to a mobile device based on a context profile, so as to not be disruptive and deliver when the user is busy or at night or the weekend using Bayersian reasoning, for example.

Finally, nothing cited or found in Shimada, claim 5 and column 14, lines 10-14, teaches the above features. Shimada merely discusses a data server accessing stored priorities to send for example, a patched video game, to users who have already purchased the game, and does not discuss "determining an order of delivering the updated information data to the plurality of second user terminals according to the profile data acquired by reference to the second group of data in said storage unit when the first information is updated." This is done for each index data. The combination of references, including the priority determination of Shimada does not teach this feature.

Claim 9 patentably distinguishes over Park, Erdelyi, and Shimada because nothing cited or found discusses "**determining an order of delivery of the updated information to a plurality of the user terminals at each index when the information is updated**." Erdelyi, in column 11, lines 34-40, merely notes that "the User can select, review, and edit some or all user preferences using the User Preferences GUI. For example, the User can designate the playing order of the clips, the number of games to be searched **352**, whether the footage is to be delivered in chronological or reverse chronological order **354**, change a password, select the first screen view, and choose the default camera angle." This is unrelated to the above claim features. Further, nothing cited in claim 5 and column 14, lines 10-14 of Shimada teaches the above claim features. In particular, Park, Erdelyi, and Shimada do not teach determining an order of delivery of the updated information to a plurality of the user terminals **at each index**

when the information is updated." Thus, each index assigned to the information has a specific order of delivery of to the plurality of user terminals. The priorities of Shimada do not teach this feature.

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested b the cited references. As discussed in the response filed June 11, 2009, on page 6, dependent claim 3 recites "means for determining the order according to the restriction data" which is not taught by the teachings of Crandall, Horvitz, DeSimone, and Schmada. In addition to the argument previously presented, the discussion below is provided. Claim 3 is related to modifying the order according to the restriction data. As a non-limiting example, the specification notes that presence and present location can be taken into account, this being an example of restriction data. In particular, the cited references, including the cited Crandall do not teach this feature. Crandall merely discuses newsfeeds with timestamps, which is entirely unrelated to claim 3 and "restriction data." It is submitted that the dependent claims are independently patentable over the cited references.

New Claim 11

New claim 11 patentably distinguishes over the cited references because nothing cited or found discusses "receiving a determined order of delivery of the updated information to the plurality of the user terminals at each index when the received information is updated." Nothing cited or found in the references discusses "receiving a determined order of delivery of the updated information to the plurality of the user terminals at each index." In other words, each instance of received information assigned to an index has an order of delivery to the plurality of user terminals based on profile information when the received information is updated. The cited references do not teach this feature.

Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _7-13-09_   By: _John R. Bednarz_

John R. Bednarz
Registration No. 62,168

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501